

City of Shannon Hills, Arkansas
Regular City Council Meeting
Jan 13, 2004

The Mayor called the meeting to order at 7:00 p.m.
The Mayor led the pledge of Allegiance.

Roll Call: Present were Mayor Davis, Recorder-Treasurer Curt Wilson, City Attorney Brent Houston and Aldermen Gina Daniel, Mike Kemp, Glenn Dinsmore, Rick Tribble, Linda Linkous, and Diane Everett.

Minutes of Dec 09, 2003 regular meeting were approved as presented. Motion to approve was made by Alderman Kemp, Second by Alderman Tribble. Approval was by voice vote with no opposition.

Financial Report: Recorder-Treasurer Wilson reported that he was still in the midst of closing out the 2003 year. Although totals were to be considered incomplete and unofficial he reported the following:

General Fund Revenues:	\$889.63. (checking account balance of \$23,958.69 with most of that represented by "2004 money".
Payroll account balance:	\$ 1,935.39
General Fund Stevens Account: ..	\$47,604.01
Marshals Fund:	\$32,688.35
Court Clerks Fund:	\$ 2,432.85
LOPFI	\$29,459.02
Street Fund:	\$61,068.82
Street Fund Stephens Account: ...	\$44,791.33

Mayor Davis Announced that he had asked Mr. Patrick Benca to fill the position of City Attorney and asked to add his confirmation to the Agenda.

A motion was made by Alderman Kemp to suspend the rules and place the confirmation of Mr. Benca on the agenda. The motion received a second from Alderman Linkous. The motion was approved by voice vote with no opposition.

A motion was made by Alderman Kemp that Mr. Benca be confirmed as the new City Attorney. Motion received a second from Alderman Tribble. The appointment was approved by voice vote with no opposition.

Dept Head reports:

Fire Dept. (Mel Aldridge) reported Five (5) Fire and Fourteen (14) Rescue calls. For a total of Nineteen calls. Calls responded to in 2003 totaled 192.

For more details refer to written Fire Department report submitted as part of this presentation.

Public Works (Water & Sewer and Street Depts.): (David Passmore)

Mr. Passmore submitted a written report and supplemented it with a verbal summary. He reported that a rather expensive “altitude” valve had to be replaced last month but the job was completed without any discomfort to any citizens. Work continues in locating and marking manholes throughout the system. It was noted that cooperation and assistance from the police department with traffic control while repairs on a sewer line were completed was greatly appreciated. Refer to the written report for more details. Alderman Linkous asked if it would be possible to get some financial information relative to the water and Street departments in the future. Mr. Passmore agreed to work with “Lucky” to provide that information.

Police Department: No one was present to provide a report from the police department.

Court Clerk:

No report was given. The Mayor typically reads the report as provided by the clerk but he did not receive one and did not request one.

Item 1: Mr. James Cox, (citizen), wished to address the council and, as is customary, the council chose to modify the agenda in order to allow a citizen to be heard early in the program.

Alderman Daniel made a motion to move Mr. Cox to the front of the agenda. Motion received a second from Alderman Dinsmore. The motion was approved, via voice vote, with no opposition.

Mr. And Mrs. Cox presented the following concern:

They have experienced frequent sewer line blockages recently and in most cases have paid sewer companies, such as Roto-Rooter, to work on their lines. In almost all cases it has turned out that the blockage has been in the main sewer line rather than their own. Their request to the council was to see if anything could be done to prevent the blockages or reduce the frequency.

The Public works manager, Mr. Passmore, confirmed that the area where the Cox family live is a low area and subject to problems as described. He said that they would set up a maintenance schedule that would help reduce the probability or frequency of failures in that area.

Alderman Kemp stated that he would want assurance that a back-flow valve was in place on their line and that the city would not be giving the impression or appearance of being at fault or bearing any responsible related to the issue. The city Attorney, Mr. Benca, said that the wording of any solution offered by the city would protect the city’s interests. Mrs. Cox said that they were more interested in some kind of long term solution than in financial reimbursement for previous expenditures but help in any form would be appreciated. Following additional discussion by several parties, a **Motion** was made by Alderman Daniel that the city reimburse the Cox family the amount of Three hundred twenty-four dollars and ninety cents (\$324.90). A second was made by Alderman Everett. The Motion was approved on a roll call vote with no opposition.

Item 2. The Mayor gave the annual “State of the City” address. (Which is made a part of these minutes..Attachment “A”

Item 3. Second vote on Ordinance to adjust sewer rates. (2004-02)

A motion was made by Alderman Kemp that “We suspend the rules and authorize a reading of only the title.” Alderman Dinsmore provided a second. The motion was

Item 3 continued...

approved by voice vote with no opposition.

The City Attorney read the title of the Ordinance. (The ordinance was read, in its entirety at first vote, last month.)

A motion was made to Adopt the ordinance by Alderman Kemp. Second was made by Alderman Dinsmore. In discussion, Alderman Linkous asked about community response to message that went out on last water bills. She expressed concern that too many in the community may not be aware of the events and that more intense efforts should be made to inform and involve the citizens. A roll call vote followed with Aldermen Dinsmore, Tribble, Everett, Daniel and Kemp voting for the motion and Alderman Linkous voting against it. The motion passed 5 to 1.

Third vote:

Alderman Kemp moved that "We suspend the rules and place Ordinance 2004-02 on the floor for a third, and final, reading, reading only the title." Alderman Dinsmore offered a second. A roll call vote resulted in approval of the motion with Aldermen Tribble, Everett, Daniel, Kemp and Dinsmore voting for the motion and Alderman Linkous voting against it.

A motion was made by Alderman Kemp, with a second from Alderman Daniel, to cast a third vote to adopt Ordinance 2004-02. A roll call vote resulted in passage of the motion. Alderman Linkous voted "No" and pointed out that she was voting against the ordinance primarily because She felt the citizens had not been adequately informed or had an opportunity to respond or react to the issue. All other Aldermen voted for the motion.

Fourth Vote:

A motion was made by Alderman Kemp, with a second from Alderman Daniel to suspend the rules and place Ordinance 2004-02 on the floor for a fourth vote (Third vote on this night.), be taken on Ordinance 2004-02. A roll call vote resulted in approval of the motion with Aldermen Tribble, Everett, Daniel, Kemp and Dinsmore voting for the motion and Alderman Linkous voting against it.

A motion was made by Alderman Kemp, with a second from Alderman Daniel, to cast a fourth vote to adopt Ordinance 2004-02. A roll call vote resulted in passage of the motion with Aldermen Everett, Daniel, Kemp, Dinsmore and Tribble voting for the motion and Alderman Linkous voting against it.

Item 4. Anti-Bias Ordinance (2004-01)

An Ordinance required by the federal Government that declares it to be against the law to show bias with regard to race gender, etc. in dealings with the public by the City Police Department.

First Vote:

A motion was made by Alderman Kemp, with second by Alderman Tribble, to suspend the rules and authorize reading only the title of Ordinance 2004-01. Motion was approved with a voice vote. There was no opposition.

The City Attorney read the Title of Ordinance 2004-01.

Alderman Kemp made a motion to adopt the Ordinance. Alderman Everett provided a second. Motion was approved by voice vote with no opposition.

Second Reading: Motion by Alderman Kemp, Second by Alderman Tribble to suspend the rules and place Ordinance 2004-01 on the floor for second vote, reading only the title. Motion was approved by voice vote with no opposition.

The Ordinance Title was read by the City Attorney, Mr. Benca.

Motion by Alderman Kemp with second from Alderman Dinsmore that Ordinance 2004-01 be adopted. The ordinance title was read by City Attorney Benca. The motion was adopted by voice vote with no opposition.

Third Reading: Motion by Alderman Kemp, Second by Alderman Tribble to suspend the rules and place Ordinance 2004-01 on the floor for second vote, reading only the title. Motion was approved by voice vote with no opposition.

The Ordinance Title was read by the City Attorney, Mr. Benca.

Motion by Alderman Kemp with second from Alderman Dinsmore that Ordinance 2004-01 be adopted. The ordinance title was read by City Attorney Benca. The motion was adopted by voice vote with no opposition.

Item 5. Confirmation of appointment of Beverly Williamson to the Planning Commission. Motion to Confirm The appointment of Beverly Williamson to the planning commission was made by Alderman Kemp. Second made by Alderman Dinsmore. Motion passed by voice vote with no opposition.

Item 6. Insurance Resolution:

Motion by Alderman Kemp with second by alderman Tribble that we suspend the rules and add the Insurance Resolution to the Agenda. Motion passed by voice vote with no opposition.

Following a brief discussion about the purpose and need addressed by the resolution, a motion was made by Alderman Daniel with a second from Alderman Everett to adopt Resolution 2004-01.

Comments: With agenda items completed the meeting was opened to comments. Questions centered on the sewer project and related financial issues. It was estimated that the Bond issue would be effective in 60 to 90 days.

Use of the 40 acres of undeveloped land owned by the City was discussed.

Motion by Alderman Kemp and second from Alderman Dinsmore that the meeting adjourn. Voice vote passed the motion without opposition. Meeting stood adjourned at 8:30 pm

Date: _____

Approved: _____
Larance Davis, Mayor

Attest: _____
Curt Wilson, Recorder-Treasurer